



**UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/733,072	10/16/96	MAKOUJ	K 0286-1156

MM11/1102
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EXAMINER

YAN, R

ART UNIT

PAPER NUMBER

2854

DATE MAILED: 11/02/98

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

08/733,072

Applicant(s)

Makoui et al.

Examiner

Ren Yan

Group Art Unit

2854



☒ Responsive to communication(s) filed on Sep 21, 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-12, 18-22, 25-30, 33-43, 49-63, and 68-72 is/are pending in the application.

Of the above, claim(s) 22 and 25-30 is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-12, 18-21, 33-43, 49-63, and 68-72 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 10

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Applicant's election without traverse of Group I, claims 1-12, 18-21, 33-43, 49-63 and 68-72 in Paper No. 15 is acknowledged.

Claim 68 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 68 appears to modify rather than to provide a further structural limitation to its parent claim 53.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 8, 9, 12, 18, 19, 33, 34, 49, 50, 53, 54, 60, 63 and 68-72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klemmer(3,731,620) in view of Saueressig(4,685,393). The patent to Klemmer teaches the very concept as disclosed and claimed in the present application to use a releasably attached sleeve with engraved pattern thereon on a embossing roller core so as to facilitate the replacement of the engraved sleeve without having to remove the entire embossing roller from the machine. See column 5, lines 10-31 and column 7, lines 46-62 in Klemmer for details. Klemmer may not disclose in detail how the embossing sleeve is releasably mounted on the roller core. Saueressig teaches the structure and method of employing a roller sleeve positioning means for releasably attaching a printing sleeve onto a roller core using pressurized gas as recited including the pressurized air

passages and circumferential grooves 22-24. See the entire Saueressig reference for example.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the embossing roller of Klemmer with the properly disposed structure for providing pressurized gas as taught by Saueressig so as to facilitate the mounting and removing of the embossing sleeve. With respect to claims 18, 49 and 69, the depth of such a groove would have been ultimately determined by those having ordinary skill in the art through routine experiment in order to achieve a desired outcome. Such a determination based on routine experiment would have been obvious to those skilled in the art. It should be pointed out that embossing is part of the printing art. The teaching of mounting and removing a roller sleeve to and from a roller core by Saueressig has applications for printing rollers, impression rollers, transfer rollers, platen rollers as well as any types of rollers having a removably mounted sleeve thereon.

Claims 20, 21, 51, 52, 71 and 72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klemmer in view of Saueressig as applied to claims 1, 33 and 53 above, and further in view of Julian(4,144,813). Klemmer and Saueressig may not show the use of tapered roller core and sleeve. Julian teaches in a similar roller structure using pressurized gas to facilitate mounting of the sleeve the conventionality of using tapered roller core outer surface and sleeve inner surface so as to facilitate the mounting and detachment of the sleeve relative to the roller core. See the entire Julian reference for example. In view of the teaching of Julian, it would have been obvious to one of ordinary skill in the art to provide the roller

core and sleeve inner surface of Klemmer, as modified by Saueressig, in order to ease the sleeve mounting operation.


Claims 3-7, 35-40 and 55-59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klemmer in view of Saueressig as applied to claims 1, 33 and 53 above, and further in view of Kildune(5,266,257). Klemmer, as modified by Saueressig, may not disclose the material used for the engraved sleeve. Kildune discloses in the paragraph bridging columns 1 and 2 that it is conventional to provide an embossing roller core with a vulcanized rubber sleeve to carry out the embossing function. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the embossing roller of Klemmer with a vulcanized rubber sleeve as taught by Kildune. The mere application of a known material based upon its well known properties and intended use by those having ordinary skill in the art in order to obtain an expected outcome would involve no apparent unobviousness. With respect to the recited sleeve hardness in claims 3-5, 35-37 and 55-57, since the applied prior art references use the same material, it would appear that the broad hardness range as recited would inherently be met. Besides, due to the lack of disclosure showing any criticality, the hardness of the embossing sleeve employed would be determined based upon the type of material to be embossed, etc. and such a determination would be made by those having ordinary skill in the art through routine experiment in order to obtain the desired result.

Claims 10, 11, 41-43, 61 and 62 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klemmer in view of Saueressig and Kildune as applied to claims 9, 40 and

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60 above, and further in view of Jones(3,404,254). Klemmer, as modified by the applied references, may not disclose how the sleeves are engraved. Laser engraving on the surface of cylindrical rollers has long been known and used in the art for its ability to generate accurate and sharp images. Jones teaches such a conventional use of laser engraving on cylindrical shaped roller bodies. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use laser technology to engrave the embossing pattern on the sleeve of Klemmer, as modified by the applied references, as taught by Jones in order to achieve improved image pattern on the sleeve. With respect to the broadly recited embossing pattern includes embossing elements having various shapes, since the particular laser engraving technique on the embossing sleeve is not disclosed and claimed as part of the present invention, the various shapes of the embossing elements in the embossing pattern are considered as a design preference based on the embossed images desired to be obtained. Such a design preference by those having ordinary skill in the art would involve no apparent unobviousness.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ren Yan whose telephone number is (703) 308-0978. The examiner can normally be reached on weekdays from 9:30AM to 6:00PM.


Ren Yan
Primary Examiner
Art Unit 2854

Ren Yan
Oct. 27, 1998